

Puckett
Kallof
White

LIBRARY
ARIZONA ATTORNEY GENERAL

May 4, 1956
Opinion No. 56-95

REQUESTED BY: Honorable Robert E. Morrow, State Senator

OPINION BY: Robert Morrison, The Attorney General
Harmon S. Puckett, Assistant Attorney General

QUESTION 1: Does the Arizona Development Board presently have authority to administer State Parks and Monuments in Arizona?

CONCLUSION: Yes.

QUESTION 2: Does the Arizona Development Board have present authority to supervise statewide recreational programs and to acquire properties for this purpose?

CONCLUSION: Yes.

QUESTION 3: If the answer to (2) is yes, can they cooperate with counties and cities through such agencies as the Phoenix Parks and Recreation Department in providing recreation for our citizens and visitors?

CONCLUSION: Yes.

"§ 41-502. Purposes.

The purposes and objectives of the board shall be to:

1. Attract tourists, new residents and new commercial industries to this state, and generally promote tourist, population and industry development of the state.
2. Advertise and further the development and use of the resort and recreational advantages and facilities of all areas of this state on a year round basis.
3. Explore and publicize facilities, resources and possibilities of the state in order to attract new capital and new industries to the state."

"§ 41-503. Duties.

The Board shall:

1. Formulate policies, plans and programs designed to effectuate the purposes of this article.
2. Plan and conduct a program of collecting and dissemi-

LIBRARY
ARIZONA ATTORNEY GENERAL

nating information relating to the state and its resort, recreational, scenic, historical, residential, educational, transportation, aviation, business, commercial, industrial, agricultural, mining and forestry facilities, advantages, products and attractions.

3. Encourage the traveling public to visit the state.

4. Stimulate and encourage all local, state, regional and federal governmental agencies, and all private persons and enterprises which have similar and related objectives and purposes, and cooperate with such agencies, persons and enterprises and correlate board plans, programs and operations with those of such agencies, persons and enterprises.

5. Conduct studies on its own initiative or at the request of the governor, the legislature or state or local agencies, pertaining to any of its objectives.

6. Provide information and advice on request by local, state and federal agencies and by private citizens and business enterprises on matters within the scope of its activities.

7. Advise with and make recommendations to the governor and the legislature on all matters concerning its objectives.

8. Make annual reports to the governor and the legislature on its activities, its finances and the scope of its operations."

"§ 41-504. Powers.

The Board may:

1. Employ, fix the salaries, determine the conditions of employment and specify the duties of administrative, secretarial and clerical assistants, and contract for the services of outside advisors, consultants and aids reasonably necessary or desirable to enable it adequately to perform its duties.

2. Make contracts and incur obligations reasonably necessary or desirable within the general scope of its activities and operations to enable it adequately to perform its duties.

3. Utilize any and all media of communication, publication and exhibition in the dissemination of information, advertising and publicity in any field of its purposes, objectives or duties.

4. Adopt rules and regulations it deems necessary or desirable to govern its procedures and business.

5. Accept gifts, donations, grants, funds, property or services for use in accomplishing its objectives or performing its duties, but such monies shall not be used for paid advertising unless the legislature so directs. "

Hon. Robert E. Morrow
State Senator

May 4, 1956
Page Three

The foregoing statutes are clear and unambiguous as applied to the questions herein and, therefore, no interpretation is necessary.

A. R. S. § 41-502 provides as a purpose of the Board, ". . . further the development and use of the resort and recreational advantages and facilities of all areas of this state on a year round basis".

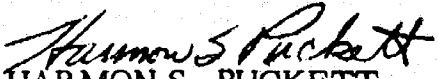
A. R. S. § 41-503 provides as a duty of the Board, "to effectuate the purposes of this article".

A. R. S. § 41-504 provides the power of the Board to, "Make contracts and incur obligations reasonably necessary or desirable within the general scope of its activities and operations to enable it adequately to perform its duties. "

A. R. S. § 41-503 provides as a duty of the Board to, "Stimulate and encourage all local, state, regional and federal governmental agencies, and all private persons and enterprises which have similar and related objectives and purposes, and cooperate with such agencies, persons and enterprises and correlate board plans, programs and operations with those of such agencies, persons and enterprises".

It is, therefore, the opinion of this office that the Arizona Development Board has authority to administer state parks and monuments in Arizona; to supervise statewide recreational programs and to acquire properties for this purpose; and may cooperate with counties and cities in providing recreational facilities for our citizens and visitors.

ROBERT MORRISON
The Attorney General


HARMON S. PUCKETT
Assistant Attorney General

llm

56-95